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10/565,382	01/20/2006	Robin Mihekun Miller	60,469-253;OT-5210 LAB	5634
7590	12/17/2008		EXAMINER	
Kerrie A Laba Carlson Gaskey & Olds Suite 350 400 West Maple Road Birmingham, MI 48009			PICO, ERIC E	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,382	Applicant(s) MILLER ET AL.
	Examiner ERIC PICO	Art Unit 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 September 2008.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4-14 and 16-24 is/are pending in the application.
 4a) Of the above claim(s) 7 and 13 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,4-6,8-12,14 and 16-24 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 07/30/2007
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/25/2008 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim(s) 8 is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. **Claim 8** recites the limitation "said door" in claim 8, lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claim(s) 1 and 10** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272.
7. **Regarding claim 1**, Kato et al. discloses an elevator assembly comprising
8. an elevator door 2 mounted for movement relative to a car frame 1;
9. a sill 14 supported by said car frame 1 wherein said sill 14 moves from a retracted position to an extended position when said elevator door 2 is initially aligned with a landing door; and
10. Kato et al. is silent concerning a locking mechanism for selectively locking said sill to said landing structure, wherein the elevator door is prevented from moving from a closed position unless the sill is locked to the landing structure.
11. Mabuchi teaches an elevator assembly comprising
12. an elevator door 5a, 5b, 18a, 18b mounted for movement relative to a car frame;
13. a sill 3 supported by said car frame; and
14. a locking mechanism 31 for selectively locking said sill 3 to said landing structure 17, wherein the elevator door 5a, 5b, 18a, 18b is prevented from moving from a closed position unless the sill 3 is locked to the landing structure 17.
15. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a locking mechanism as taught by Mabuchi to selectively lock said

sill to said landing structure disclosed by Kato et al. to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors.

16. **Regarding claim 10**, Kato et al. discloses the sill 14 comprises a generally flat plate presenting continuous unbroken surface that extends from the car frame 1 to a landing structure 4.

17. **Claim(s) 2, 11, and 12** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272 as applied to claim 1 above, and further in view of Kaneko JP Publication No. 02-163283.

18. **Regarding claim 2**, Kato et al. discloses the sill 14 extends outwardly from underneath the elevator door 2 along a generally linear path.

19. Kato et al. is silent concerning the sill extends to engage a landing structure.

20. Kaneko teaches a sill 3 that extends outwardly to engage a landing structure 2.

21. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. extend to engage a landing structure as taught by Kaneko to negate difference in level between a cage sill and a hall sill so as not to create an obstruction in the passage.

22. **Regarding claim 11**, Kato et al. discloses the sill extends outwardly from underneath a car floor and is movable along a linear path towards a landing structure.

23. Kato et al. is silent concerning the sill is movable along a rotational path to automatically adjust for misalignment between the car floor and the landing structure.

24. Kaneko teaches a sill 3 movable along a rotational path to automatically adjust for misalignment between a car 1 floor and a landing structure 2.
25. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. movable along a rotational path as taught by Kaneko to automatically adjust for misalignment between the car floor and the landing structure.
26. **Regarding claim 12**, Kato et al. discloses the sill 14 is pivotally mounted to a car floor and pivots away from the elevator door 2.
27. **Claim(s) 4 and 6** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272 as applied to claim 1 above, and further in view of West U.S. Patent No. 4915568.
28. **Regarding claim 4 and 6**, Kato et al. is silent concerning the locking mechanism comprises an actuator, an arm having a hook portion, and a pin mounted to the landing structure wherein the actuator actuates the hook portion to selectively engage the pin to secure the sill to the landing structure, and wherein the actuator comprises an electric motor.
29. West teaches a locking mechanism comprises an actuator, referred to as drive mechanism and electric motor 17, an arm having a hook portion, referred to as hook shaped restraining member 36, and a pin, broadly interpreted as an ICC bar, mounted to the landing structure wherein the actuator 17 actuates the hook portion 36 to

selectively engage the pin ICC to secure the dock leveler 13 to the landing structure, and wherein the actuator comprises an electric motor 17.

30. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a locking mechanisms as taught by West for selectively locking the sill and landing structure disclosed by Kato et al. to facilitate the contact between the sill and the landing structure.

31. **Claim(s) 5** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of West U.S. Patent No. 4915568 and Mabuchi JP Publication No. 05-132272.

32. **Regarding claim 5**, Kato et al. discloses an elevator assembly comprising:
33. an elevator door 2 mounted for movement relative to a car frame 1;
34. a sill 14 supported by said car frame 1 wherein said sill 14 moves from a retracted position to an extended position when said elevator door 2 is initially aligned with a landing door;
35. Kato et al. is silent concerning a locking mechanism for selectively locking said sill to said landing, wherein said locking mechanism comprises an actuator, an arm having a hook portion, and a pin mounted to said landing structure wherein said actuator actuates said hook portion to selectively engage said pin to secure said sill to said landing structure; and a door moving mechanism having a lock position where said elevator door and landing door are prevented from opening and a release position where said elevator door and landing door are allowed to move from a closed position

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to an open position wherein said door moving mechanism does not switch to said release position until said hook portion securely engages said pin.

36. West teaches an assembly comprising:

37. a locking mechanism for selectively locking a dock leveler 13 to said landing, broadly interpreted as the rear of a truck, wherein said locking mechanism comprises an actuator, referred to as drive mechanism and electric motor 17, an arm having a hook portion, referred to as hook shaped restraining member 36, and a pin, broadly interpreted as an ICC bar, mounted to said landing structure wherein said actuator 17 actuates said hook portion 36 to selectively engage said pin ICC to secure said dock leveler 13 to said landing structure.

38. Mabuchi teaches an elevator assembly comprising:

39. an elevator door 5a, 5b mounted for movement relative to a car frame;

40. a sill 3 supported by said car frame;

41. a locking mechanism for selectively locking said sill 3 to said landing 17, wherein said locking mechanism comprises an actuator 31, an arm 32, and a pin 35 mounted to said landing structure 17 wherein said actuator 31 actuates to selectively engage said pin 35 to secure said sill 3 to said landing structure 17; and

42. a door moving mechanism having a lock position where said elevator door 5a, 5b and landing door 18a, 18b are prevented from opening and a release position where said elevator door 5a, 5b and landing door 18a, 18b are allowed to move from a closed position to an open position wherein said door moving mechanism does not switch to said release position until a portion securely engages said pin 35.

43. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a locking mechanisms as taught by West for selectively locking the sill and landing structure disclosed by Kato et al. to facilitate the contact between the sill and the landing structure.

44. It would have been obvious to one of ordinary skill in the art at the time of the invention to

45. provide a locking mechanism as taught by Mabuchi to selectively lock said sill to said landing structure disclosed by Kato et al. to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors.

46. **Claim(s) 8, 9, 18, and 19** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272 as applied to claims 1 and 14 above, and further in view of Miyamoto et al. JP Publication No. 06-032572.

47. **Regarding claim 8**, Kato et al. is silent concerning a track supporting the elevator door for movement between open and closed positions, the track including a first track portion and a second track portion that is non-parallel to the first track portion; and a seal positioned between the elevator door and the car frame wherein the door applies a compressive sealing force against the seal as the door moves from the first track portion to the second track portion.

48. Miyamoto et al. teaches a track, referred to as guide grooves 14, supporting an elevator door 2 for movement between open and closed position, the track 14 including

a first track portion and a second track portion, referred to as curved parts 15, that is non-parallel to the first track portion; and

49. a seal, 16-18 positioned between the elevator door 2 and the car frame wherein the door 2 applies a compressive sealing force against the seal 16-18 as the door 2 moves from the first track portion to the second track portion 15.

50. It would have been obvious to one of ordinary skill in the art at the time of the invention to support the elevator door disclosed by Kato et al. with a track including a first track portion and a second track portion that is non-parallel to the first track portion; and a seal positioned between the elevator door and the car frame as taught by Miyamoto et al. to tightly close a car so as to prevent invasion of noise.

51. **Regarding claim 9**, Kato et al. discloses the sill 14 moves at a first extension speed.

52. Kato et al. is silent concerning the elevator door extends outwardly away from the car frame at a second speed slower than the first speed to release compression on the seal.

53. Miyamoto et al. teaches elevator doors extend outwardly away from the car frame at a speed to release compression on the seal 16-18.

54. It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the elevator doors outwardly away from the car frame as taught by Miyamoto et al. at a speed slower than a first extension speed of the sill disclosed by Kato et al. to tightly close up a car so as to prevent invasion of noise.

55. **Regarding claim 18**, Kato et al. is silent concerning positioning a seal between the elevator door and a car frame; supporting the elevator door on a track for movement relative to the car frame between open and closed positions; and compressing the seal between the elevator door and the car frame as the door moves from a first track portion to a second track portion that is non-parallel to the first rack portion.

56. Miyamoto et al. teaches

57. positioning a seal 16-18 between the elevator door 2 and a car frame;

58. supporting the elevator door 2 on a track 14 for movement relative to the car frame between open and closed positions; and

59. compressing the seal 16-18 between the elevator door 2 and the car frame as the door 2 moves from a first track portion to a second track portion 15 that is non-parallel to the first rack portion.

60. It would have been obvious to one of ordinary skill in the art at the time of the invention to position a seal as taught by Miyamoto et al. between the elevator door and a car frame disclosed by Kato et al.; support the elevator door disclosed by Kato et al. on a track as taught by Miyamoto et al. for movement relative to the car frame between open and closed positions; and compress the seal as taught by Miyamoto et al. between the elevator door and the car frame disclosed by Kato et al. as the door moves from a first track portion to a second track portion that is non-parallel to the first rack portion to tightly close up a car so as to prevent invasion of noise.

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61. **Regarding claim 19**, Kato et al. discloses initially moving the elevator door 2 and the sill 47 in a first direction outwardly away from the car frame 1 once the elevator and landing doors are aligned, and

62. continuing to move the sill 14 in the first direction until the sill 14 agrees with the landing structure 4.

63. Kato et al. is silent concerning continuing to move the sill in the first direction until the sill engages the landing structure, and subsequently moving the elevator door in a second direction parallel to the car frame after the sill is locked to the landing structure.

64. Kaneko teaches moving a sill 3 in the first direction until the sill 3 engages the landing structure 2.

65. Mabuchi teaches subsequently moving an elevator door 5a, 5b in a direction parallel to the car frame after the sill 3 is locked to the landing structure 17.

66. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. extend to engage a landing structure as taught by Kaneko to negate difference in level between a cage sill and a hall sill so as not to create an obstruction in the passage.

67. It would have been obvious to one of ordinary skill in the art at the time of the invention to subsequently move the elevator door disclosed by Kato et al. in a direction parallel to the car frame after the sill is locked to the landing structure as taught by Mabuchi to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors

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68. **Claim(s) 14, 16, and 20-24** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272 and Kaneko JP Publication No. 02-163283.

69. **Regarding claim 14**, Kato et al. discloses a method for opening an elevator door assembly comprising the steps of:

70. aligning an elevator door 2 with a landing door; and

71. extending a sill 14 from underneath the elevator door 2 to a landing structure 4.

72. Kato et al. is silent concerning extending a sill to engage a landing structure; locking the sill to the landing structure; and opening the elevator and landing doors subsequent to the locking.

73. Kaneko teaches a method for opening an elevator door assembly comprising the steps of: extending a sill 3 to engage a landing structure 2.

74. Mabuchi teaches a method for opening an elevator door assembly comprising the steps of:

75. aligning an elevator door 5a, 5b with a landing door 18a, 18b;

76. locking the sill 3 to the landing structure 17: and

77. opening the elevator 5a, 5b and landing doors 18a, 18b subsequent to the locking.

78. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. extend to engage a landing structure as taught by Kaneko to negate difference in level between a cage sill and a hall sill so as not to create an obstruction in the passage.

79. It would have been obvious to one of ordinary skill in the art at the time of the invention to lock the sill as taught by Mabuchi to the landing structure disclosed by Kato et al.; and opening the elevator and landing doors disclosed by Kato et al. subsequent to the locking as taught by Mabuchi to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors.

80. **Regarding claim 16**, Kato et al. discloses a method for opening an elevator door assembly comprising the steps of:

81. aligning an elevator door 2 with a landing door; and

82. extending a sill 14 from underneath the elevator door 2 to a landing structure 4.

83. Kato et al. is silent concerning extending a sill to engage a landing structure; locking the sill to the landing structure; and releasing a door moving mechanism only after the sill is securely locked to the landing structure.

84. Kaneko teaches a method for opening an elevator door assembly comprising the steps of: extending a sill 3 to engage a landing structure 2.

85. Mabuchi teaches a method for opening an elevator door assembly comprising the steps of:

86. aligning an elevator door 5a, 5b with a landing door 18a, 18b;

87. locking the sill 3 to the landing structure 17; and

88. releasing a door moving mechanism 34 only after the sill 3 is securely locked to the landing structure 17.

89. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. extend to engage a landing structure

as taught by Kaneko to negate difference in level between a cage sill and a hall sill so as not to create an obstruction in the passage.

90. It would have been obvious to one of ordinary skill in the art at the time of the invention to lock the sill as taught by Mabuchi to the landing structure disclosed by Kato et al.; and releasing a door moving mechanism only after the sill disclosed by Kato et al. is securely locked to the landing structure as taught by Mabuchi to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors.

91. **Regarding claim 20**, Kato et al. is silent concerning unlocking the sill from the landing structure in response to a request to move the elevator door to a different landing door.

92. Mabuchi teaches unlocking the sill 3 from the landing structure 7 in response to a request to move the elevator door 5a, 5b to a different landing door 18a, 18b.

93. It would have been obvious to one of ordinary skill in the art at the time of the invention to unlock the sill as taught by Mabuchi from the landing structure disclosed by Kato et al. in response to a request to move the elevator door to a different landing door to facilitate the alignment between the elevator car and the landing structure before opening the elevator doors.

94. **Regarding claim 21**, Kato et al. discloses the sill 14 comprises a plate presenting a continuous unbroken surface and including

95. moving the sill 14 along a generally linear path extending from the elevator door 2 to the landing door and

96. bridging an operating gap formed between the elevator and landing doors with the plate.

97. Kato et al. is silent concerning completely bridging an operating gap formed between the elevator and landing doors with the plate.

98. Kaneko teaches a sill 3 comprises a plate presenting a continuous unbroken surface and including

99. moving the sill 3 along a path extending from the elevator door to the landing door and

100. completely bridging an operating gap formed between the elevator and landing doors with the plate.

101. It would have been obvious to one of ordinary skill in the art at the time of the invention to completely bridge an operating gap as taught by Kaneko formed between the elevator and landing doors with the plate disclosed by Kato et al. to provide a seamless transition between the elevator car and the landing structure

102. **Regarding claim 22**, Kato et al. discloses the sill 14 comprises a plate mounted to a car floor and including pivoting the plate 14 away from the elevator door 2 to engage the landing structure.

103. Kato et al. is silent concerning the plate engaging the landing structure.

104. Kaneko teaches a sill 3 that extends outwardly to engage a landing structure 2.

105. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the sill disclosed by Kato et al. extend to engage a landing structure

as taught by Kaneko to negate difference in level between a cage sill and a hall sill so as not to create an obstruction in the passage.

106. **Regarding claim 23**, Kato et al. is silent concerning the step of vertically adjusting the position of the sill relative to the landing structure to accommodate misalignment between a car floor and the landing structure.

107. Kaneko teaches a sill 3 vertically adjustable to a position relative to the landing structure 2 to accommodate misalignment between a car floor and the landing structure 2.

108. It would have been obvious to one of ordinary skill in the art at the time of the invention to vertically adjust the position of the sill disclosed by Kato et al. relative to the landing structure as taught by Kaneko to accommodate misalignment between a car floor and the landing structure.

109. **Regarding claim 24**, Kato et al. discloses a sill moving in a linear direction toward the landing structure.

110. Kato et al. is silent concerning simultaneously rotating the sill and moving the sill in a linear direction toward the landing structure.

111. Kaneko teaches a rotating sill 3 and moving the sill 3 toward the landing structure 2.

112. It would have been obvious to one of ordinary skill in the art at the time of the invention to simultaneously rotate the sill as taught by Kaneko and move the sill in a linear direction toward the landing structure disclosed by Kato et al. to negate difference in level between the elevator and the landing structure

113. **Claim(s) 17** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. JP Publication No. 54-104147 in view of Mabuchi JP Publication No. 05-132272 and Kaneko JP Publication No. 02-163283 as applied to claim 14 above, and further in view of West U.S. Patent No. 4915568.

114. **Regarding claim 17**, Kato et al. is silent concerning a method including engaging a hook supported for movement with the sill to a pin mounted to the landing structure to lock the sill to the landing structure.

115. West teaches a method including engaging a hook 36 supported for movement to a pin ICC mounted to the landing structure to lock the dock leveler 13 to the landing structure.

116. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a locking mechanisms as taught by West for selectively locking the sill and landing structure disclosed by Kato et al. to facilitate the contact between the sill and the landing structure.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP
/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3654